

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9583 of 1995

with

SPECIAL CIVIL APPLICATION No 9453 of 1995

ISHWARKRUPA CO OPERATIVE HOUSING SOCIETY

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 9583 of 1995

MR KS JHAVERI	for Petitioner
SERVED BY DS	for Respondent No. 1
MR HS MUNSHAW	for Respondent No. 2

2. Special Civil Application No 9453 of 1995

MR KS JHAVERI	for Petitioner
SERVED BY DS	for Respondent No. 1
MR HS MUNSHAW	for Respondent No. 2

CORAM : MR.JUSTICE J.N.BHATT

Date of decision: 26/02/96

ORAL ORDER:-

The learned counsel for respondent no.2, Ahmedabad Urban Development Authority (AUDA for short) states that a resolution No.229 (95-96) is passed to the effect that the cases of all the cooperative societies for the allotment of land by AUDA will be reconsidered and reexamined on self-contained proposals. This resolution was passed unanimously in the meeting of respondent no.2. In the light of the aforesaid resolution, the case of the petitioner society is also required to be reexamined and reconsidered. In pursuance to the aforesaid resolution, the case of the petitioner cooperative housing society will have to be reexamined and reconsidered by respondent no.2 AUDA. In that light, learned counsel for the petitioner Mr. Zaveri states that a direction may be given that the case of the petitioner society may be reexamined and reappreciated for allotment of the land in a stipulated time and the petitioner may be permitted to withdraw the petition.

Having regard to the aforesaid facts and circumstances of this case, permission to withdraw the petition is granted. Respondent no.2 AUDA ordinarily will have to reconsider and reexamine the case of the petitioner society for allotment of the land alongwith the cases of other societies. However, it is directed that respondent no.2 AUDA shall reconsider and reexamine the case of the petitioner cooperative housing society as early as possible and preferably at the end of May, 1996. The copy of the said resolution passed by AUDA is produced by Mr. Munsha, learned counsel while appearing for the respondents. The same be placed on record of this matter.

Accordingly this petition stands disposed of as having been withdrawn, with no order as to costs having regard to the facts and circumstances of the case. Direct service is permitted.

Date: 26/2/1996. (J.N.BHATT,J.)